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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,051	01/16/2001	Alan R. Cohn	LIUI116895	7685

26389 7590 09/23/2003

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EXAMINER

REDMAN, JERRY E

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/765,051

Applicant(s)

COHN ET AL.

Examiner

Jerry Redman

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 59-68 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-14, 16-29, 31-42, 44-52, 54, and 56-58 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 15, 30, 43, 53 and 55 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 3634

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7, 9-14, 18-29, 31-42, 44-52, 54, and 56-58<sup>and 69-73</sup> are rejected under 35

U.S.C. 103(a) as being unpatentable over Zweili ('769) in view of Springer et al. Zweili discloses an automatic reciprocating system comprising a plug assembly (24) operable to actuate the sliding door (5 and/or 7) between a plugged and unplugged position, link arms (88 and 90) rotating the door(s), and a drive assembly (21) for driving the doors to an open position. Zweili fails to specifically disclose a latch assembly and a sensor assembly. Springer et al. disclose a drive assembly for reciprocating doors comprising a latching member (28), and a control system (74) having a plurality of sensors (56, 58, 60, and 119) for sensing the position in which the door is in and whether the door is locked or unlocked. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Zweili with a latch and sensors as taught by Springer et al. since a latch provides the door(s) to be locked into a position where it cannot move thereby preventing injuries to people leaving the vehicle. It would have been further obvious to one of ordinary skill in the art at the time of the invention to provide Zweili with a control system utilizing sensors as taught by Springer et al. since sensors and a control system allows one to monitor the position of the door and whether the door is in a locked position.

MAILED  
NEW ACTION  
to Applicant  
on 12/4/03  
APPEAL SPEAKING  
with applicant  
on 11/25/03.  
No new time  
or extension  
granted.  
12/4/03


Claims 2, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springer et al. in view of Zweili. Springer et al. disclose an automatic reciprocating system comprising a cable drive system (Figure 22) for driving doors (20 and 110) between an opened and closed locked position. Springer et al. fail to disclose the doors to be of a plug type assembly. Zweili discloses a drive assembly for plug type doors. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Springer et al. with a plug type door assembly as taught by Zweili since the plug type door assembly allows the doors to fit perfectly within an opening thus providing a smooth outer surface along the vehicle when the doors are in a closed and locked position.

Claims 6, 8, 15, 30, 43, 53, and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 59-68 are allowable.

The applicant's arguments have been considered but are not deemed persuasive. The applicant argues that Zweili fails to disclose doors to be rotated about a pivot axis as claimed. The Examiner disagrees since Zweili clearly discloses the exact movement of the applicant's invention in column 1, lines 62-67 and column 2, lines 1-45

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 703-308-2120.

  
Jerry Redman  
Primary Examiner